THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.7980 of 2007

Date: 19.04.2007

Between:

M/s. Salix Systems Pvt. Limited.

....Petitioner

And

The Chief General Manager and others.

....Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.7980 of 2007

O R D E R:

Petitioner is a software company. The Government of A.P. issued G.O.Ms.No.67, Energy (Power.II) Department, dated 21.07.1998, providing for various incentives, such as, 25% subsidised power supply to such companies. The Transmission Corporation of Andhra Pradesh, in turn, issued orders in T.O.O. (Comml.).No.173, dated 10.05.1999, agreeing to enforce the policy of the Government. The petitioner claims to have submitted an application for extension of the said benefit. It is stated that the Joint Director, Information Technology Department, Government of Andhra Pradesh has also issued a certificate, dated 19.01.2001, to the effect that the petitioner is eligible for the said benefit.

The petitioner claims to have made several representations to the respondents, for extending the benefit of 25% rebate on consumption charges. Its grievance is that no orders have been passed, so far. Reference is made to the letter, dated 09.03.2005, addressed by the third respondent to the first respondent seeking clarification, as well as the letter, dated

13.11.2002, addressed by the third respondent to the petitioner, stating that permission is accorded for its classification as Industrial Category LT-III, in the context of extension of incentives.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents.

As of now, the Department of Information Technology has certified that the petitioner is entitled to the rebate declared by the Government in G.O.Ms.No.67, dated 21.07.1998. If that be so, the petitioner ought to have been extended the benefit. In case, the respondents have any basis to deny the benefit to the petitioner, they are under obligation to inform the same to the petitioner. The matter cannot be kept pending indefinitely.

For the foregoing reasons, the Writ Petition is disposed of, directing respondents 2 and 3 to pass necessary orders on the representation made by the petitioner, as to extension of the benefit under G.O.Ms.No.67, dated 21.07.1998, within a period of four (4) weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

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19.04.2007

Note: Issue C.C. in three (3) days.

(B/o)
JSU